

1 Neel Chatterjee (SBN 173985)
2 *nchatterjee@goodwinlaw.com*
3 **GOODWIN PROCTER LLP**
4 135 Commonwealth Drive
Menlo Park, California 94025
Tel.: +1 650 752 3100
Fax.: +1 650 853 1038

5 Brett Schuman (SBN 189247)
6 *bschuman@goodwinlaw.com*
7 Rachel M. Walsh (SBN 250568)
8 *rwalsh@goodwinlaw.com*
9 **GOODWIN PROCTER LLP**
Three Embarcadero Center
San Francisco, California 94111
Tel.: +1 415 733 6000
Fax.: +1 415 677 9041

10 Hong-An Vu (SBN 266268)
11 *hvu@goodwinlaw.com*
12 **GOODWIN PROCTER LLP**
13 601 S. Figueroa Street, 41st Floor
Los Angeles, CA 90017
Tel.: (213) 426-2500
Fax.: (213) 623-1673

14 Attorneys for Defendant
15 Otto Trucking LLC

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

19 WAYMO LLC,

20 Plaintiff,

21 v.

22 UBER TECHNOLOGIES, INC.;
23 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

24 Defendants.

Case No. 3:17-cv-00939-WHA

**OTTO TRUCKING LLC'S NOTICE TO
JOIN AND ADOPT DEFENDANTS
UBER TECHNOLOGIES, INC.'S AND
OTTOMOTTO, LLC'S RESPONSE TO
COURT'S REQUEST FOR LIST OF
FACTS OCCURRING AFTER
COMMENCEMENT OF ACTION THAT
UBER PLANS TO PRESENT TO THE
JURY (DKT 784 ¶1)**

Judge: Hon. William H. Alsup

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT Defendant Otto Trucking, LLC (“Otto Trucking”)
 3 hereby joins and adopts Co-Defendants Uber Technologies, Inc.’s (“Uber”) and Ottomotto, LLC’s
 4 (“Ottomotto”) Response (Dkt No. 854) pursuant to the Court’s requests made at the June 29, 2017
 5 proceedings on the motions in limine (the “June 29 Proceedings”) and the Order re Early Motions
 6 in Limine and Related Matters (Dkt. 784, the “June 30 Order”). In support, Otto Trucking states
 7 as follows:

8 1. At the June 29 Proceedings and in its June 30 Order, the Court requested the
 9 following submissions from the parties:

10 (a) A list identifying all orders that Uber intends to affirmatively rely on at trial
 11 before the jury, and the relevance of that order (6/29/2017 Hrg. Tr. 4:23–5:16) (the “List of Court
 12 Orders”)

13 (b) A list identifying all admissions by Waymo’s counsel in briefs, during oral
 14 argument, or during colloquy at a deposition that Uber intends to affirmatively rely on at trial
 15 before the jury, and the relevance of that admission (id. 5:17–6:8, 92: 1–3, 93:8–18) (the “List of
 16 Party Admissions through Statements or Filings”); and’

17 (c) A list of all events occurring after the commencement of this civil action
 18 that it plans to present in its case in chief at trial (Dkt. 784, ¶ 1) (the “List of Post-Complaint
 19 Facts”).

20 2. On July 10, 2017, Co-Defendants Uber and Ottomotto submitted a filed response in
 21 accordance with the Court’s June 29 requests and June 30 order (Dkt No. 854).

22 3. Otto Trucking joins and adopts, as if set out verbatim herein, the arguments,
 23 authorities, contentions, and prayers of Co-Defendants Uber and Ottomotto set forth in their
 24 Response for the reason that said response is equally applicable to Otto Trucking in the above-
 25 captioned matter.

26 4. Otto Trucking joins and adopts Co-Defendants’ Response to best serve justice and
 27 avoid unnecessary or duplicative, effort, time, or expense to the parties involved.
 28

WHEREFORE, Defendant Otto Trucking LLC hereby joins and adopts Co-Defendants' Response to the Court's requests from the June 29, 2017 proceedings and the June 30, 2017 Order.

Dated: July 10, 2017

Respectfully submitted,

By: /s/ Neel Chatterjee

Neel Chatterjee (SBN 173985)
nchatterjee@goodwinlaw.com

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San Francisco, California 94111
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*Attorneys for Defendant
Otto Trucking LLC*

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on July 10, 2017. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 10th day of July 2017.

/s/ Neel Chatterjee
Neel Chatterjee